

REMARKS

I. STATUS OF DRAWINGS

Figures 1-5 has been amended with replacement Figures 1-5 to overcome the objections raised by Examiner in the Office Action on page 2. Figures 1-5 has been amended to indicate what each object represents. Accordingly, Applicant respectfully requests withdrawal of the objections to the drawings and for acceptance of replacement Figures 1-5 as submitted with this amendment.

II. INFORMATION DISCLOSURE STATEMENT

An information disclosure statement Form PTO-1449 is submitted with this amendment listing the references as provided on October 9, 2001 for the Examiner's consideration. Legible copies of each publication is provided in compliance with 37 CFR 1.98(a)(1) and (2). Applicant respectfully requests consideration of all submitted references.

III. STATUS OF THE CLAIMS

Claims 1-22 were pending. After entry of the above amendments, Claims 1-20 are pending in the present Application. In the above amendments, Claims 1, 11 and 17 were amended, and Claims 21-22 were canceled.

Claim 17 was objected to for improper dependent claim form.

Claims 21-22 were rejected in the Office Action under 35 U.S.C. § 112, second paragraph (hereinafter, "Section 112, Par. 2") as being indefinite.

Claims 1-6, 11, 21 and 22 were rejected under 35 U.S.C. § 103(a) (hereinafter, "Section 103(a)") as being unpatentable over McDowell et al., (U.S. Patent Publication No. 2001/0034224, hereinafter, "McDowell") in view of Dennis, (PCT/US98/26785, hereinafter, "Dennis").

Claims 7, 9, 10, 12-16, 17 and 19 were rejected under Section 103(a) as being unpatentable over McDowell and Dennis and further in view of Patil (U.S. Pat. No. 6,625,460, hereinafter, "Patil").

Claim 8 was rejected under Section 103(a) as being unpatentable over McDowell and Dennis and further in view of Smith et al. (U.S. Pat. No. 6,333,973, hereinafter, "Smith").

Claims 18 and 20 were rejected under Section 103(a) as being unpatentable over McDowell, Dennis and Patil and further in view of Smith.

Applicant respectfully traverses all rejections and requests reconsideration.

A.     OBJECTION TO CLAIM 17

Applicant respectfully submits amended claim 17 in proper dependent form. Accordingly, Application respectfully requests withdrawal of the objection to Claim 17.

B.     REJECTION UNDER SECTION 112, PAR. 2

Claims 21 and 22 were rejected under Section 112, Par. 2 as being indefinite as Omnibus type claims. Applicant respectfully requests that Claims 21 and 22 be canceled from this application, without prejudice or disclaimer of the subject matter therein.

C. REJECTION UNDER SECTION 103(a), McDowell in view of Dennis

Claims 1-6, 11, 21 and 22 were rejected under Section 103(a) as being unpatentable over McDowell in view of Dennis. In rejecting those claims as being unpatentable over McDowell and Dennis, the Examiner stated that McDowell teaches all the claim limitations of claim 1 but does not teach “registering or tentatively registering an account over a computer network and confirming the registering of the prospective user associate with a direct request to register form the prospective user.” The Examiner further stated that Dennis provides the deficiency of McDowell and “therefore it would have been obvious to combine the art of McDowell et al. with the teaching of Dennis which teaches registering or tentatively registering an account over a computer network and confirming the registering of the prospective user associated with a direct request to register form the prospective user to provide a system and method for users to control the delivery or information to a wireless device and control services provided to the device”. (Office Action, pg. 3)

Applicant respectfully traverses Examiner’s rejection as explained below.

As explained in M.P.E.P. Section 706.02(j):

*To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.*

The three above-mentioned criteria must exist at the time the claimed invention was made, according to the text of Section 103(a) itself. The Examiner has not established a prima facie case of obviousness using McDowell and Dennis for at least the reasons stated below.

McDowell and Dennis

McDowell discusses a system and method for sharing user event information among mobile devices and those connected to fixed IP networks such as the Internet. (McDowell, Abstract). It is basically an online presence detection system for already registered users with the system. [McDowell, 0030-0031]. There is no mention of the registering or tentatively registering an account for a user. There is further, no mention as to how a mobile number is uniquely identified in a network nor on an IM setting.

Dennis discloses an account system for collecting and management of personal information via a wireless terminal. (Dennis, Abstract) The user establishes a personal profile on a network, such as the internet, and the profile is used to determine which types of information should be sent to the wireless device. (Dennis, pg. 3, lines 4-6). The process for establishing a personal profile is disclosed as a new user being “presented with a different screen on his/her first connection to the personal profile website. The new user screen could be used to initiate a new account. The new user would be prompted for information such as name, e-mail address, billing information, future long-in ID and password, wireless service provider and wireless telephone number.” (pg. 10, lines 6-10). However, by opening this account, Dennis makes no mention of unique identifying numbers, not to mention automatic allocation of such unique identifying numbers.

Claims 1 and 11

Applicant requires in amended Claims 1 and 11 the limitation of “receiving a client specific access address of a prospective user on the computer network **together with** a request to register or tentatively register an account for said prospective user” (emphasis

added). In addition, claims 1 and 11 further require at least “**automatically allocating a unique identifier to the prospective user**”, “**registering or tentatively registering an account for said prospective user...**” and “**sending notification of said unique identifier to said prospective user at the client specific address of the prospective user**, either: confirming the registering...or inviting registration”.

With respect to both McDowell and Dennis, neither reference teaches or suggests all the claims limitations of Applicant’s claims 1 and 11. McDowell fails to teach the registration or tentative registration method and system as recited in claims 1 and 11, but rather discloses already associated/connected/registered users being able to determine the status of subscribers on the user’s list as well as informing others of the user’s presence online. (McDowell, [0030]). Nowhere does McDowell teach “receiving a client specific access address...together with a request to register or tentatively register an account”. McDowell further fails to disclose “automatically allocating a unique identifier to the prospective user”. Examiner cites paragraph [0030] in McDowell as disclosing such limitation, however, paragraph [0030] nowhere discusses this automatic allocation of a unique identifier to a prospective user, but rather discusses broadcasting a user’s presence to various services (specifically those services previously designated by the mobile telephone user during setup). Paragraph [0030] discusses items occurring for users already setup on the system and thereby fails to disclose automatic allocation of unique identifier to a prospective user.

Furthermore, McDowell is a system for already registered users and thus fails to teach the limitation that “receiving a client specific access address” of the prospective user is received “together with a request to register or tentatively register an account” for the

prospective user. Again, McDowell fails to disclose this requirement as its system is not an initial registration method. Examiner cites Dennis as providing the deficiencies of McDowell, however, Applicant respectfully traverses such assertion as discussed below.

Dennis is a system that discusses initiating a new account, however, the process when used in combination with McDowell, fails to teach all the claim limitations of Applicant's Claims 1 and 11. Dennis teaches a new account initiation when a user goes to a web site for setting up a personal profile, "a new user would be presented with a different screen on his/her first connection" and the "new user would be prompted for information" (Dennis, pg. 10, lines 6-9). However, nowhere does Dennis teach "receiving a client specific access address of a prospective user" and "automatically allocating a unique identifier to the prospective user" and further nowhere is there a "sending notification of said unique identifier to said prospective user at the client specific address of the prospective user". Dennis discloses presenting a screen to the user and further prompting the user for information for the account setup. This does not provide the limitations of claims 1 and 11, as mentioned, there is no receiving of a client specific access address...and neither, contrary to Examiner's assertion, any "sending notification...at the client specific address" for any confirming of a request or inviting registration. At most in Dennis, after an account is created, the personal profile web site displays screen 30 which identifies the user that has logged-in by listing the account holder's name and the type of account. This does not teach "sending notification of said unique identifier to said prospective user at the client specific address of the prospective user". Applicant respectfully requests that Examiner point out where any notification is sent to the prospective user at their client specific address.

Therefore, McDowell in light of Dennis fail to teach or suggest ALL claim limitations as required to establish a prima facie case of obviousness. Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 1 and 11 under Section 103(a).

Claims 2-6, 21-22

Dependent claims 2-6 include all limitations of their respective base claim 1. Accordingly, Applicant respectfully submits that these dependent claims are all allowable for at least the same reasons as are their respective base claim. Furthermore, Applicant respectfully submits that these dependent claims are further allowable for the limitations that they themselves recite. Claims 21 and 22 have been canceled.

Applicant respectfully disagrees with the assertions regarding the dependent claims from the Office Action. The assertions have been made moot by the above discussion of the base claims.

D. REJECTION UNDER SECTION 103(a), McDowell and Dennis in view of Patil

Claims 7, 9, 10, 12-16, 17 and 19 depend on and include all limitations of their respective base claims 1, 7 and 17. Claims 7 and 17 each depend from respective base claim 1. The deficiencies of McDowell and Dennis have been discussed above in connection with claim 1. However, Patil simply does not supply the deficiencies of McDowell and Dennis. Accordingly, Applicant respectfully submits that claims 7, 9, 10, 12-16, 17 and 19 are allowable for at least the same reasons as is claim 1.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 7, 9, 10, 12-16, 17 and 19 under Section 103(a).

E. REJECTION UNDER SECTION 103(a), McDowell and Dennis in view of Smith

Claim 8 depends on and includes all limitations of respective base claim 1. The deficiencies of McDowell and Dennis have been discussed above in connection with claim 1. Smith does not supply the deficiencies of McDowell and Dennis.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claim 8 under Section 103(a).

F. REJECTION UNDER SECTION 103(a), McDowell, Dennis, Patil in view of Smith

Claim 18 and 20 depend on and include all limitations of their respective base claim 7 and 17. Claims 7 and 17 each depend from respective base claim 1. The deficiencies of McDowell, Dennis, and Patil have been discussed above in connection with claim 1. Smith does not supply the deficiencies of McDowell, Dennis and Patil.

Accordingly, Applicant respectfully requests withdrawal of the rejection of Claims 18 and 20 under Section 103(a).

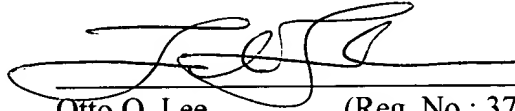


G. CONCLUSION

The above-discussed amendments and remarks are believed to place the present Application in condition for allowance. Should the Examiner have any questions regarding the above amendments, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,

Date: 8/26/2004

  
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Otto O. Lee (Reg. No.: 37,871)  
Juneko Jackson (Reg. No.: 48,870)  
Marie G. Capuyan (Reg. No.: 52,695)  
Intellectual Property Law Group LLP  
Attorneys for Applicant

Atty Docket No.: YSAP.CHIKKA.PT2  
Contact No.: 408-286-8933